

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
                                  Plaintiff, )  
                                  )  
                                 vs. )  
                                  )  
                                  )  
STEVEN GARCIA )  
FABIOLA N. DIAZ, )  
                                  )  
                                 Defendant )

8:21CR157

ORDER

STEVEN GARCIA  
FABIOLA N. DIAZ,

Defendant

This matter is before the court on the defendant, Steven Garcia's Unopposed Motion to Continue Trial [70]. After a telephone conference with counsel, and for the reasons articulated in the motion, the Court finds good cause for the requested continuance. Accordingly,

**IT IS ORDERED** that the Motion to Continue Trial [70] is granted as follows:

1. The jury trial, **as to both defendants**, now set for March 21, 2023, is continued to **May 2, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and May 2, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

**DATED: March 6, 2023.**

**BY THE COURT:**

**s/ Michael D. Nelson  
United States Magistrate Judge**